

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

6 GREGORY E. HOBSON,)
7 Plaintiff,) No. CV-11-119-JPH
8 v.) ORDER GRANTING STIPULATED
9 MICHAEL J. ASTRUE,) MOTION FOR REMAND
10 Commissioner of Social) (ECF No. 19)
11 Security,)
12 Defendant.)

13 BEFORE THE COURT is the parties' stipulated motion to remand
14 this case to the Commissioner for further administrative
15 proceedings, **ECF No. 19**, pursuant to sentence four. Maureen J.
16 Rosette represents plaintiff. Special Assistant United States
17 Attorney David I. Blower represents defendant. The parties have
18 consented to proceed before a magistrate judge, ECF No. 7.

19 After considering the stipulated motion, ECF No. 19,
20 **IT IS ORDERED** that the **motion is GRANTED**. The case is REVERSED and
21 **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for
22 further administrative proceedings, including:

23 1. The ALJ will conduct another hearing and issue a new
24 decision.

25 2. On remand, the Appeals Council will direct the ALJ to
26 reevaluate Dr. Mabee's medical source opinions, explaining the
27 weight given to each opinion.

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3. The ALJ will further consider plaintiff's residual functional capacity when he is not using alcohol.

4. The ALJ will obtain additional evidence from a vocational expert if necessary.

Because this remand is pursuant to sentence four with a remand to the Commissioner for further proceedings (see *Melkonyan v. Sullivan*, 501 U.S. 89 (1991)), plaintiff is entitled to reasonable attorney's fees and costs pursuant to 28 U.S.C. § 2412 (a), (d), upon proper request to this Court.

IT IS FURTHER ORDERED:

1. The parties' stipulated motion for an order of remand pursuant to sentence four (ECF No. 19) is **GRANTED**.

2. Judgment shall be entered for **PLAINTIFF**.

3. An application for attorney fees and costs may be filed by separate motion.

4. The District Court Executive is directed to enter this Order, enter judgment for plaintiff, forward copies to counsel, and **CLOSE** the file.

IT IS SO ORDERED.

DATED this 28th day of March, 2012.

s/James P. Hutton
JAMES P. HUTTON
UNITED STATES MAGISTRATE JUDGE